

REMARKS

In the June 5, 2003 Office Action, the Examiner noted that claims 1-9 were pending in the application; objected to the drawings; rejected claims 1-5, 7 and 8 under the first paragraph of 35 U.S.C. § 112; and rejected claims 1-6 and 9 under 35 U.S.C. § 102(e). In rejecting the claims, U.S. Patent 6,151,492 to Melin (Reference A) was cited. The Examiner's rejections are traversed below.

The Invention

The present invention is directed a device that provides separate physical and logical connections to subscriber terminal devices connected in parallel using a master subscriber control unit and at least one subsidiary or slave subscriber control unit.

The Prior Art: U.S. Patent 6,151,492 to Melin

The Melin patent is directed to a method for routing a connection initiated by a calling party to a called party which is located in a geographical region identified by the calling party.

Objection to Drawings

In item 1 on page 2 of the Office Action, the Examiner objected to the drawings "because the elements contained in the claimed invention are not depicted in the drawings in such a way to provide the necessary details for the examiner to understand the claimed invention, also the descriptive legend[s] provided ... [are] in a foreign language" (page 2, lines 3-6). Replacement Sheets of the drawings are submitted herewith providing English translations of the German text by using the corresponding English words in the application as filed. Therefore, it is submitted that no "new matter" has been added.

As a result of the changes made to the drawings, the Examiner should be able to understand how the drawings correspond to what is recited in the claims, as discussed further below.

Rejections under 35 U.S.C. § 112, First Paragraph

In item 3 on pages 2-4 of the Office Action, claims 1-5, 7 and 8 were rejected under the first paragraph of 35 U.S.C. § 112 as failing to comply with the enablement requirement. To aid in understanding of the invention, the specification and claims have been amended to use English words that are more customary in the art in place of the previously used translations of

German words in the priority application. In particular, the specification has been amended to use the terms "master" and "slave" that were used in the last paragraph on page 6 and in Figs. 2-5 of the application as filed, to provide the more commonly used terms for "principal subscriber control" and "subsidiary subscriber control", respectively. In addition, the term "insert unit" has been replaced with "plug-in module". While the term "plug-in module" was not used in the application as filed, it is submitted that one of ordinary skill in the art would consider this term to be synonymous with "insert unit" and therefore, it is submitted that no "new matter" has been added by any of the changes made to the specification or claims.

It is not understood why the remaining words in the specification were insufficient for the Examiner to understand the functions performed by the insert unit (or plug-module) and principal subscriber control (master control) for a subscriber device. For example, the paragraph spanning pages 8 and 9 describe the "internal connection process unit 13 that connects the connection process units ... of the principal and subsidiary subscriber control to one another" (page 8, lines 21-23) and the "message interface 17 - as second connection device - that logically connects the terminal device process units of the principal and subsidiary subscriber control to one another" (page 8, lines 24-26). This portion of the specification seems to clearly describe the separate connections recited in the claims using words almost identical to those in claims 3 and 4 and corresponding to what is illustrated in Fig. 2. Therefore, it is not understood why claims 3 and 4 were rejected under the first paragraph of 35 U.S.C. § 112, or why the other claims were considered to not be enabled, since the narrower claims seem to be so clearly enabled.

If the changes that have been made to the specification and drawings do not clarify the invention sufficiently for the Examiner to understand the scope of the claims, the Examiner is respectfully requested to contact the undersigned by telephone to arrange an Examiner Interview, so that additional explanation can be provided by the undersigned and the issue of lack of enablement can be discussed to expedite resolution of all enablement issues.

Rejections under 35 U.S.C. § 102(e)

In item 6 on pages 4-5 of the Office Action, claims 1-5, 6 and 9 were rejected under 35 U.S.C. § 102(e) as anticipated by Melin. It is assumed that Melin was cited due to the inability to understand the limitations recited in the claims, since Melin discloses an invention that is considerably different than the present invention. Specifically, claim 1 recites a "switching device ... comprising: a plug-in module having a plurality of subscriber interfaces" (claim 1, lines

1-4), while Melin is directed to a telecommunication network formed of private branch exchanges PBX1, PBX2, and PBX3 for which there is little description in Melin. In particular, nothing was cited or has been found in Melin regarding any component of a private branch exchange corresponding to the "master subscriber control unit" (claim 1, line 11) and "subsidiary subscriber control unit" (claim 1, line 13), or two different connection devices, one "physically connecting said master subscriber control unit and said at least one subsidiary control unit" (claim 1, line 17-18) and the other "logically connecting said master subscriber control unit to said at least one subsidiary subscriber control unit separately from said first connection device" (claim 1, lines 19-21).

The cited portions of Melin were column 9, lines 1-12 and 55-61 and Figs. 3, 4 and 6. Nothing in the cited drawings or text teach or suggest separate physical and logical connections as recited in the claims. The only mention of parallel connections that has been found involves multiple subscribers, "[p]arallel coupling of the call involves the B-subscribers being connected to the A-subscriber simultaneously and in parallel" (column 9, lines 2-4). This does not meet the limitations of "a second connection device logically connecting said master subscriber control unit to said at least one subsidiary subscriber control unit separately from said first connection" (claim 1, lines 19-21) or "establishing a physical connection of said subscriber terminal devices to be connected in parallel; and separately establishing a logical connection of said subscriber terminal devices to be connected in parallel" (claim 6, lines 3-6). For the reasons set forth above, it is submitted that claim 1 patentably distinguishes over Melin.

Claims 2-5 depend from claim 1 and recite additional details, none of which were cited or have been found in Melin. For example, the "internal connection process unit" (claim 3, line 2) and "message interface (claim 4, line 2) have not been found in Melin, as discussed above. Therefore, it is submitted that claims 2-5 further patentably distinguish over Melin.

Claim 6 recites "establishing a physical connection of said subscriber terminal devices to be connected in parallel and separately establishing a logical connection of said subscriber terminal devices to be connected in parallel" (claim 6, lines 3-6). As discussed above with respect to claim 1, nothing was cited or has been found in Melin of "separately establishing a logical connection of ... subscriber terminal devices" (claim 6, line 5). Therefore, it is submitted that claim 6 and claims 7-9 which depend therefrom patentably distinguish over Melin. Furthermore, it is submitted the additional limitations recited in claims 7-9 provide additional distinctions over Melin.

Other Comments

The June 5, 2003 Office Action returned a list of references submitted with the Information Disclosure Statement received by the Office of Initial Patent Examination on February 8, 2001. However, the non-patent document, Reference AR, was not initialed or marked through as not considered. The Examiner is respectfully requested to send another copy of the form with an indication that Reference AR was considered. If a copy of this document was not received, the Examiner is respectfully requested to contact the undersigned by telephone, so that a Supplemental Information Disclosure Statement can be filed.

Summary

It is submitted that Melin does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-9 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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